

# **EXHIBIT A**

**U.S. District Court  
Southern District of Indiana (New Albany)  
CIVIL DOCKET FOR CASE #: 4:07-cv-00016-SEB-WGH**

CAUFIELD v. COLGATE-PALMOLIVE COMPANY  
EMPLOYEES' RETIREMENT INCOME PLAN  
Assigned to: Judge Sarah Evans Barker  
Referred to: Magistrate Judge William G. Hussmann, Jr  
Cause: 29:1002 E.R.I.S.A.: Employee Retirement

Date Filed: 02/12/2007  
Jury Demand: None  
Nature of Suit: 791 Labor: E.R.I.S.A.  
Jurisdiction: Federal Question

**Plaintiff**

**PAUL CAUFIELD**  
*and all others similarly situated*

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V.

**Defendant**

**COLGATE-PALMOLIVE COMPANY  
EMPLOYEES' RETIREMENT INCOME  
PLAN**

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Date Filed	#	Docket Text
02/12/2007	<u>1</u>	COMPLAINT against COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN filed by PAUL CAUFIELD.(JLM) (Entered: 02/12/2007)
02/12/2007	<u>2</u>	CIVIL COVER SHEET filed by Plaintiff PAUL CAUFIELD. (JLM) (Entered: 02/12/2007)
02/12/2007	<u>3</u>	RECEIPT #NA000003 in the amount of \$ 350.00 for filing fee. (JLM) (Entered: 02/12/2007)
02/12/2007	<u>4</u>	Summons Issued as to COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (JLM) (Entered: 02/12/2007)
02/12/2007	<u>5</u>	MAGISTRATE JUDGE's NOTICE of Availability to Exercise Jurisdiction issued. (JLM) (Entered: 02/12/2007)
02/12/2007	<u>6</u>	INSTRUCTIONS FOR PREPARING CASE MANAGEMENT PLAN (JLM) (Entered: 02/12/2007)
03/02/2007	<u>7</u>	NOTICE of Appearance by Ellen E. Boshkoff on behalf of Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Boshkoff, Ellen) (Entered: 03/02/2007)
03/02/2007	<u>8</u>	NOTICE of Appearance by Philip John Gutwein, II on behalf of Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Gutwein, Philip) (Entered: 03/02/2007)
03/09/2007	<u>9</u>	MOTION to Appear pro hac vice ( <i>Brandi T. Johnson</i> ), filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Attachments: # <u>1</u> Text of Proposed Order)(Gutwein, Philip) (Entered: 03/09/2007)
03/09/2007	<u>10</u>	MOTION to Appear pro hac vice ( <i>Joseph J. Costello</i> ), filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Attachments: # <u>1</u> Text of Proposed Order)(Gutwein, Philip) (Entered: 03/09/2007)

03/09/2007	<u>11</u>	MOTION to Appear pro hac vice ( <i>Theresa J. Chung</i> ), filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Attachments: # <u>1</u> Text of Proposed Order)(Gutwein, Philip) (Entered: 03/09/2007)
03/09/2007	<u>12</u>	MOTION to Appear pro hac vice ( <i>Jeremy P. Blumenfeld</i> ), filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Attachments: # <u>1</u> Text of Proposed Order)(Gutwein, Philip) (Entered: 03/09/2007)
03/09/2007	<u>13</u>	CORPORATE DISCLOSURE STATEMENT, filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN, identifying None as Corporate Parent. (Gutwein, Philip) (Entered: 03/09/2007)
03/12/2007	<u>14</u>	RECEIPT #NA000032 in the amount of \$ 120.00, PHV fee - Brandi T Johnson, Joseph J. Costello, Theresa L. Chung and Jeremy Blumenfeld (KTK) (Entered: 03/12/2007)
03/13/2007	<u>15</u>	ORDER granting <u>9</u> Motion to Appear pro hac vice. Attorney Brandi T. Johnson for COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN added. Signed by Judge Sarah Evans Barker on 3/13/07. (JLM) (Entered: 03/13/2007)
03/13/2007	<u>16</u>	ORDER granting <u>10</u> Motion to Appear pro hac vice. Attorney Joseph J. Costello for COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN added. Signed by Judge Sarah Evans Barker on 3/13/07. (JLM) (Entered: 03/13/2007)
03/13/2007	<u>17</u>	ORDER granting <u>11</u> Motion to Appear pro hac vice. Attorney Theresa J. Chung for COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN added. Signed by Judge Sarah Evans Barker on 3/13/07. (JLM) (Entered: 03/13/2007)
03/13/2007	<u>18</u>	ORDER granting <u>12</u> Motion to Appear pro hac vice. Attorney Jeremy P. Blumenfeld for COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN added. Signed by Judge Sarah Evans Barker on 3/13/07. (JLM) (Entered: 03/13/2007)
03/16/2007	<u>19</u>	WAIVER OF SERVICE Returned Executed, filed by PAUL CAUFIELD. COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN waiver sent on 2/13/2007. (JLM) (Entered: 03/21/2007)
03/21/2007	<u>20</u>	NOTICE of Appearance by Brandi T. Johnson on behalf of Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (KTK) (Entered: 03/21/2007)
03/21/2007	<u>21</u>	NOTICE of Appearance by Jeremy P. Blumenfeld on behalf of Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (KTK) (Entered: 03/21/2007)
03/21/2007	<u>22</u>	NOTICE of Appearance by Theresa J. Chung on behalf of Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (KTK) (Entered: 03/21/2007)
03/21/2007	<u>23</u>	NOTICE of Appearance by Joseph J. Costello on behalf of Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (KTK)

		(Entered: 03/21/2007)
04/16/2007	<u>24</u>	MOTION to Dismiss <i>Plaintiff's Complaint</i> , filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN., (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Text of Proposed Order) (Gutwein, Philip) (Entered: 04/16/2007)
04/16/2007	<u>25</u>	BRIEF/MEMORANDUM in Support re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> , filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Gutwein, Philip) (Entered: 04/16/2007)
04/26/2007	<u>26</u>	MOTION for Extension of Time to May 15, 2007 to file response to <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> , filed by Plaintiff PAUL CAUFIELD, Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Smith, T.) (Entered: 04/26/2007)
04/26/2007	<u>27</u>	MOTION for Extension of Time to to file response to <u>26</u> MOTION for Extension of Time to May 15, 2007 to file response to <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> , filed by Plaintiff PAUL CAUFIELD, Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Smith, T.) (Entered: 04/26/2007)
04/26/2007	<u>28</u>	MOTION to Appear pro hac vice of <i>Douglas R. Sprong</i> , filed by Plaintiff PAUL CAUFIELD. (Attachments: # <u>1</u> Text of Proposed Order)(Sprong, Douglas) (Entered: 04/26/2007)
04/27/2007	<u>29</u>	RECEIPT #NA000073 in the amount of \$ 30.00, PHV fee, Douglas R. Sprong. (KTK) (Entered: 04/27/2007)
04/27/2007	<u>30</u>	ORDER granting <u>28</u> Motion to Appear pro hac vice. Attorney Douglas R. Sprong for PAUL CAUFIELD added. Signed by Judge Sarah Evans Barker on 4/27/2007. (KTK) (Entered: 04/27/2007)
04/30/2007	<u>31</u>	ORDER granting <u>26</u> Motion for Extension of Time re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> Plaintiff's Response due by 5/15/2007. Defendant's Reply is due 6/5/2007. Signed by Judge William G. Hussmann Jr. on 4/30/2007. (KTK) (Entered: 04/30/2007)
05/14/2007	<u>32</u>	MOTION for William K. Carr to Appear pro hac vice, filed by Plaintiff PAUL CAUFIELD. (Attachments: # <u>1</u> Text of Proposed Order)(Sprong, Douglas) Modified on 5/15/2007 (KTK). (Entered: 05/14/2007)
05/15/2007	<u>33</u>	RECEIPT #NA 000089 in the amount of \$ 30.00, pro hac vice fee, William Carr. (KTK) (Entered: 05/15/2007)
05/15/2007	<u>34</u>	RESPONSE in Opposition re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> , filed by Plaintiff PAUL CAUFIELD. (Attachments: # <u>1</u> Exhibit 1 Entry Denying Defendant's Motion# <u>2</u> Exhibit 2 Affidavit of Paul Caufield)(Sprong, Douglas) (Entered: 05/15/2007)
05/16/2007	<u>35</u>	ORDER granting <u>32</u> Motion to Appear pro hac vice. Attorney William K. Carr for PAUL CAUFIELD added. Signed by Judge Sarah Evans Barker on 5/16/2007. (KTK) (Entered: 05/17/2007)

05/23/2007	<u>36</u>	MOTION to Appear pro hac vice <i>Diane Moore Heitman</i> , filed by Plaintiff PAUL CAUFIELD. (Attachments: # <u>1</u> Text of Proposed Order)(Sprong, Douglas) (Entered: 05/23/2007)
05/24/2007	<u>37</u>	RECEIPT #NA000097 in the amount of \$ 30.00 for PHV Fee for Diane Moore Heitman. (JLM) (Entered: 05/24/2007)
05/24/2007	<u>38</u>	ORDER granting <u>36</u> Motion to Appear pro hac vice. Attorney Diane Moore Heitman for PAUL CAUFIELD added. Signed by Judge Sarah Evans Barker on 5/24/2007. (KTK) (Entered: 05/25/2007)
06/04/2007	<u>39</u>	CASE MANAGEMENT PLAN TENDERED, filed by Plaintiff PAUL CAUFIELD, Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Attachments: # <u>1</u> Magistrate Judge's Summary of Case Management Plan)(Chung, Theresa) (Entered: 06/04/2007)
06/05/2007	<u>40</u>	MOTION to Stay, filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN., (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Defendant's Statement in Compliance with Local Rule 37.1)(Chung, Theresa) Modified on 6/6/2007 (JLM). (Entered: 06/05/2007)
06/05/2007	<u>41</u>	BRIEF/MEMORANDUM in Support re <u>40</u> MOTION to Stay, filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Chung, Theresa) (Entered: 06/05/2007)
06/05/2007	<u>42</u>	REPLY in Support of Motion re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> , filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Chung, Theresa) (Entered: 06/05/2007)
06/12/2007	<u>43</u>	ORDER: CASE MANAGEMENT Plan NOT APPROVED as submitted. A scheduling order will issue in place at the Telephonic Status Conference set for 7/16/2007 05:00 PM, New Albany time, before Magistrate Judge William G. Hussmann Jr. Signed by Judge William G. Hussmann Jr. on 6/12/2007. (KTK) (Entered: 06/12/2007)
06/25/2007	<u>44</u>	RESPONSE in Opposition re <u>40</u> MOTION to Stay of <i>Proceedings Pending Disposition of Its Motion to Dismiss</i> , filed by Plaintiff PAUL CAUFIELD. (Sprong, Douglas) (Entered: 06/25/2007)
07/06/2007	<u>45</u>	ORDER granting in part <u>40</u> Motion to Stay. Parties to comply with FRCP 26(a)(1), and defendant shall respond to interrogatories or requests for production addressed to the identity of plan documents at issue over the six years prior to the filing of the Complaint. All other discovery is stayed, at least until the 7/16/2007 conference. Signed by Judge William G. Hussmann Jr. on 7/6/07. (JLM) (Entered: 07/06/2007)
07/20/2007	<u>46</u>	Minute Entry for proceedings held before Judge William G. Hussmann Jr.: Status Conference held on 7/16/2007. See Entry for particulars. (KTK) (Entered: 07/20/2007)
07/20/2007		(continuation of # <u>46</u> ) SCHEDULING ORDER: Telephonic Status Conference set for 10/31/2007 09:15 AM, New Albany time, before Magistrate Judge William G. Hussmann Jr. Signed by Judge William G. Hussmann Jr. on 7/20/2007. (KTK) (Entered: 07/20/2007)
10/01/2007	<u>47</u>	RESPONSE in Opposition re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint Citation to</i>

		<i>Supplemental Authority</i> , filed by Plaintiff PAUL CAUFIELD. (Attachments: # <u>1</u> Exhibit 1 Humphrey v. United Way)(Sprong, Douglas) (Entered: 10/01/2007)
10/11/2007	<u>48</u>	MOTION to Stay re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> , filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN., (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Text of Proposed Order)(Chung, Theresa) (Entered: 10/11/2007)
10/11/2007	<u>49</u>	BRIEF/MEMORANDUM in Support re <u>48</u> MOTION to Stay re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> , filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Chung, Theresa) Modified on 10/12/2007 (JLM). (Entered: 10/11/2007)
10/26/2007	<u>50</u>	RESPONSE in Opposition re <u>48</u> MOTION to Stay re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> MOTION to Stay re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> , filed by Plaintiff PAUL CAUFIELD. (Attachments: # <u>1</u> Exhibit 1 - Abelman Motion for 60 Day Stay)(Sprong, Douglas) (Entered: 10/26/2007)
11/05/2007	<u>51</u>	REPLY in Support of Motion re <u>48</u> MOTION to Stay re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> MOTION to Stay re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> , filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B)(Chung, Theresa) (Entered: 11/05/2007)
11/06/2007	<u>52</u>	Minute Entry for proceedings held before Judge William G. Hussmann Jr.: Telephonic Status Conference held on 10/31/2007. See Entry for particulars. (KTK) (Entered: 11/07/2007)
11/06/2007		(continuation of # <u>52</u> ) SCHEDULING ORDER:Telephonic Status Conference set for 12/5/2007 10:00 AM, New Albany time, before Magistrate Judge William G. Hussmann Jr. Signed by Judge William G. Hussmann Jr. on 11/06/2007. (KTK) (Entered: 11/07/2007)
11/16/2007	<u>53</u>	NOTICE of <i>Supplemental Authority in Support of</i> <u>24</u> Defendant's Motion to Dismiss <i>Plaintiff's Complaint</i> , filed by Defendant COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN (Attachments: # <u>1</u> Exhibit 1; # <u>2</u> Exhibit 2) (Chung, Theresa) Modified on 11/19/2007 (KTK). (Entered: 11/16/2007)
11/19/2007	<u>54</u>	RESPONSE to Motion re <u>48</u> MOTION to Stay re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> MOTION to Stay re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint</i> , filed by Plaintiff PAUL CAUFIELD. (Sprong, Douglas) (Entered: 11/19/2007)
11/21/2007	<u>55</u>	ORDER granting <u>48</u> Motion to Stay Proceedings pending disposition of <u>24</u> Motion to Dismiss. Signed by Judge Sarah Evans Barker on 11/21/2007. (KTK) (Entered: 11/21/2007)
12/05/2007	<u>56</u>	ORDER TO SHOW CAUSE - We stayed consideration of Defendant's Motion to Dismiss <u>24</u> pending a decision by the United States District Court for the Southern District of Ohio. The Ohio court has ruled. Accordingly, Defendant is ordered to show cause why the stay should not now be lifted. Defendant shall have through and including 12/14/2007, to comply with this order. Plaintiff's response, if any, shall be filed on or before 12/21/2007. Signed by Judge Sarah Evans Barker on 12/5/07.(JLM) (Entered: 12/05/2007)

12/06/2007	<u>57</u>	RETURN TO ORDER TO SHOW CAUSE by COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Gutwein, Philip) (Entered: 12/06/2007)
12/14/2007	<u>58</u>	RESPONSE in Opposition re <u>24</u> MOTION to Dismiss <i>Plaintiff's Complaint Response to Notice of Supplemental Authority</i> , filed by Plaintiff PAUL CAUFIELD. (Attachments: # <u>1</u> Exhibit 1 Employees' Retirement Income Plan pages 22 & 45, # <u>2</u> Exhibit 2 Entry Denying Defendant's Motion - Williams v. Rohm & Haas, # <u>3</u> Exhibit 3 Richardson v. Fairchild Memorandum)(Sprong, Douglas) (Entered: 12/14/2007)
12/19/2007	<u>59</u>	Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr: Status Conference held on 12/05/2007. The parties should proceed to complete briefing on the currently pending Motion to Dismiss. Any response to the supplemental briefing provided by the Defendant shall be concluded by the Plaintiff on or before 12/14/2007. Any final reply to the Plaintiffs' response shall be filed on or before 12/21/2007. (KTK) (Entered: 12/19/2007)
12/19/2007		(continuation of # <u>59</u> ) SCHEDULING ORDER:Telephonic Status Conference set for 2/27/2008 09:15 AM, New Albany time, before Magistrate Judge William G. Hussmann Jr. By copy of this entry, Plaintiff's counsel in Cause No. 1:07-cv-1554-DFH-JMS is DIRECTED to participate in this conference call by calling the court's bridge line. Signed by Magistrate Judge William G. Hussmann, Jr on 12/19/2007.(KTK) (Entered: 12/19/2007)
12/21/2007	<u>60</u>	RESPONSE re <u>56</u> Order to Show Cause <i>Why Stay Should Not Be Lifted</i> , filed by Plaintiff PAUL CAUFIELD. (Sprong, Douglas) (Entered: 12/21/2007)
02/13/2008	<u>61</u>	RESPONSE re <u>56</u> Order to Show Cause <i>Why Stay Should Not Be Lifted - Supplemental</i> , filed by Plaintiff PAUL CAUFIELD. (Attachments: # <u>1</u> Exhibit 1 Abelman v. Colgate Motion to Transfer Venue and Stay Proceedings, # <u>2</u> Exhibit 2 Proesel v. Colgate Memorandum of Law in Support of Defendants' Motion for Transfer Venue, # <u>3</u> Exhibit 3 Abelman v. Colgate Memorandum of Law in Support of Defendants' Motion to Transfer Venue)(Sprong, Douglas) (Entered: 02/13/2008)
02/28/2008	<u>62</u>	Minute Entry for proceedings held before Magistrate Judge William G. Hussmann, Jr: Telephonic Status Conference held on 2/27/2008. The court discussed several currently pending issues, but no formal orders were entered. Telephonic Status Conference set for 4/29/2008, at 9:15 AM, New Albany time (EDT), before Magistrate Judge William G. Hussmann Jr. (JLM) (Entered: 02/28/2008)

Case #: 4:07-cv-00016-SEB-WGH

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## **EXHIBIT B**

**U.S. District Court  
Southern District of Indiana (Indianapolis)  
CIVIL DOCKET FOR CASE #: 1:07-cv-01554-DFH-JMS**

ABELMAN et al v. COLGATE-PALMOLIVE COMPANY et al  
Assigned to: Judge David Frank Hamilton  
Referred to: Judge Jane Magnus-Stinson  
Case in other court: U.S. District Court, Southern District Of Ohio,  
2:07-cv-0793-MHW-NMK  
Cause: 29:1001 E.R.I.S.A.: Employee Retirement

Date Filed: 11/30/2007  
Jury Demand: None  
Nature of Suit: 791 Labor: E.R.I.S.A.  
Jurisdiction: Federal Question

**Plaintiff**

**PAUL ABELMAN**

*On behalf of himself and on behalf of all  
others similarly situated*

represented by **Eli Gottesdiener**  
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**ATTORNEY TO BE NOTICED**

**Plaintiff**

**VALERIE R. NUTTER**

*On behalf of herself and on behalf of all  
others similarly situated*

represented by **Eli Gottesdiener**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**William Henry Blessing**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**WARREN JEMMOTT**

represented by **Eli Gottesdiener**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**William Henry Blessing**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

**Plaintiff****SUSAN BYRD**

represented by **Eli Gottesdiener**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Henry Blessing**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff****ADRIANA VASQUEZ**

represented by **Eli Gottesdiener**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Henry Blessing**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff****CORA NELSON-MANLEY**

represented by **Eli Gottesdiener**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**William Henry Blessing**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant****COLGATE-PALMOLIVE COMPANY**

represented by **Ellen E. Boshkoff**  
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**Defendant**

**COLGATE-PALMOLIVE COMPANY  
EMPLOYEES' RETIREMENT INCOME  
PLAN**

represented by **Ellen E. Boshkoff**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jeremy P. Blumenfeld**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Joseph J. Costello**

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*ATTORNEY TO BE NOTICED*

**Philip John Gutwein, II**

(See above for address)  
*ATTORNEY TO BE NOTICED*

**Theresa J. Chung**

(See above for address)

*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Defendant****ERC**

represented by **Ellen E. Boshkoff**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Jeremy P. Blumenfeld**  
(See above for address)  
*PRO HAC VICE*  
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**Joseph J. Costello**  
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*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Philip John Gutwein, II**  
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*ATTORNEY TO BE NOTICED*

**Theresa J. Chung**  
(See above for address)  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
11/30/2007	<u>1</u>	Case transferred in from District of Southern Ohio; Case Number 2:07-cv-0793-MHW-NMK. Copy of transfer order and certified copy of docket sheet received. (Attachments: # <u>1</u> transfer letter# <u>2</u> docket from transferring court)(DH) (Entered: 11/30/2007)
11/30/2007	<u>2</u>	Case Docket as transferred from District Court in Southern Ohio. All case documents are attached to this entry in sequence by date filed. Attachments are described according to the document number assigned on the transferring court's docket. (DH) (Additional attachment(s) added on 12/3/2007) Modified on 12/3/2007 (TAA). (Entered: 11/30/2007)
12/04/2007	<u>3</u>	NOTICE of Appearance by Philip John Gutwein, II on behalf of Defendants COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN, ERC. (Gutwein, Philip) (Entered: 12/04/2007)
12/04/2007	<u>4</u>	NOTICE of Appearance by Ellen E. Boshkoff on behalf of Defendants COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN, ERC. (Boshkoff, Ellen) (Entered: 12/04/2007)
12/05/2007	<u>5</u>	MOTION to Withdraw as Attorney, filed by Defendants COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN, ERC. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)

		(Gutwein, Philip) (Entered: 12/05/2007)
12/06/2007	<u>6</u>	NOTICE of Related Action, filed by Defendants COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN, ERC (Gutwein, Philip) (Entered: 12/06/2007)
12/06/2007	<u>7</u>	ORDER granting <u>5</u> Motion to Withdraw as Attorney. Attorney Eve Melinda Ellinger and Felix Christopher Wade withdrawn. Signed by Judge Jane Magnus-Stinson on 12/6/07. (SWM) (Entered: 12/07/2007)
12/12/2007	<u>8</u>	ANSWER to Complaint ( <i>First Amended Class Action</i> ), filed by all defendants. (Gutwein, Philip) (Entered: 12/12/2007)
12/12/2007	<u>9</u>	MOTION to Dismiss ( <i>Partial</i> ), filed by Defendants COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN, ERC. (Attachments: # (1) Exhibit A, # (2) Exhibit B, # (3) Exhibit C, # (4) Exhibit D, # (5) Exhibit E, # (6) Exhibit F, # (7) Exhibit G, # (8) Exhibit H, # (9) Exhibit I, # (10) Exhibit J, # (11) Text of Proposed Order)(Gutwein, Philip) Modified on 12/13/2007 (LSC). (Entered: 12/12/2007)
12/12/2007	<u>10</u>	BRIEF/MEMORANDUM in Support re <u>9</u> MOTION to Dismiss ( <i>Partial</i> ) MOTION to Dismiss ( <i>Partial</i> ), filed by Defendants COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN, ERC. (Gutwein, Philip) (Entered: 12/12/2007)
12/13/2007	<u>11</u>	ENTRY regarding CMP and Initial Pretrial Conference. SCHEDULING ORDER: ( Initial Pretrial Conference set for 2/1/2008 03:00 PM in room #256 before Judge Jane Magnus-Stinson.) The CMP is due no later than 14 days prior to the iptc (See Entry). Signed by Judge Jane Magnus-Stinson on 12/13/07.(SWM) (Entered: 12/13/2007)
12/17/2007	<u>12</u>	ENTRY for 12/17/07 - Magistrate Judge Jane Magnus-Stinson: The initial pretrial conference set for 2/1/08 is VACATED.(SWM) (Entered: 12/17/2007)
12/21/2007	<u>13</u>	MOTION to Appear pro hac vice for <i>Joseph J. Costello</i> , filed by Defendants COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN, ERC. (Attachments: # <u>1</u> Certificates of Good Standing, # <u>2</u> Text of Proposed Order)(Gutwein, Philip) (Entered: 12/21/2007)
12/21/2007	<u>14</u>	MOTION to Appear pro hac vice for <i>Jeremy P. Blumenfeld</i> , filed by Defendants COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN, ERC. (Attachments: # <u>1</u> Certificates of Good Standing, # <u>2</u> Text of Proposed Order)(Gutwein, Philip) (Entered: 12/21/2007)
12/21/2007	<u>15</u>	MOTION to Appear pro hac vice for <i>Theresa J. Chung</i> , filed by Defendants COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN, ERC. (Attachments: # <u>1</u> Certificates of Good Standing, # <u>2</u> Text of Proposed Order)(Gutwein, Philip) (Entered: 12/21/2007)
12/26/2007	<u>16</u>	RECEIPT #IP004922 in the amount of \$ 90.00 - attys Costello, Blumenfeld and Chung pro hac vice filing fees. (LSC) (Entered: 12/26/2007)
12/27/2007	<u>17</u>	NOTICE of Appearance by Eli Gottesdiener on behalf of Plaintiffs SUSAN BYRD, ADRIANA VASQUEZ, CORA NELSON-MANLEY, PAUL ABELMAN, VALERIE R. NUTTER, WARREN JEMMOTT. (Gottesdiener, Eli) (Entered: 12/27/2007)

12/27/2007	<u>18</u>	ORDER granting <u>13</u> Motion to Appear pro hac vice. Attorney Joseph J. Costello for COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES', RETIREMENT INCOME PLAN and ERC added. Signed by Judge Jane Magnus-Stinson on 12/27/2007. (LSC) (Entered: 12/28/2007)
12/27/2007	<u>19</u>	ORDER granting <u>15</u> Motion to Appear pro hac vice. Attorney Theresa J. Chung for COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES', RETIREMENT INCOME PLAN and ERC added. Signed by Judge Jane Magnus-Stinson on 12/27/2007. (LSC) (Entered: 12/28/2007)
12/27/2007	<u>20</u>	ORDER granting <u>14</u> Motion to Appear pro hac vice. Attorney Jeremy P. Blumenfeld for COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES', RETIREMENT INCOME PLAN and ERC added. Signed by Judge Jane Magnus-Stinson on 12/27/2007. (LSC) (Entered: 12/28/2007)
12/28/2007	<u>21</u>	Joint MOTION for Extension of Time to January 24, 2008 to respond re <u>9</u> Motion to Dismiss (Partial); February 20, 2008 to reply re <u>9</u> Motion to Dismiss (Partial), filed by Plaintiffs SUSAN BYRD, ADRIANA VASQUEZ, CORA NELSON-MANLEY, PAUL ABELMAN, VALERIE R. NUTTER, WARREN JEMMOTT. (Attachments: # <u>1</u> Text of Proposed Order)(Gottesdiener, Eli) Modified on 1/2/2008 (LSC). (Entered: 12/28/2007)
01/02/2008	<u>22</u>	ORDER granting parties' <u>21</u> Joint Motion for Extension of Time. Pltfs shall file their response to defts' partial motion to dismiss by 1/24/08, and Defts shall file their reply by 2/20/08. Signed by Judge Jane Magnus-Stinson on 1/2/08. (SWM) (Entered: 01/02/2008)
01/15/2008	<u>23</u>	MOTION to Change Venue <i>And to Stay Proceedings Pending a Ruling on this Motion</i> , filed by Plaintiffs SUSAN BYRD, ADRIANA VASQUEZ, CORA NELSON-MANLEY, PAUL ABELMAN, VALERIE R. NUTTER, WARREN JEMMOTT. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Text of Proposed Order)(Gottesdiener, Eli) (Entered: 01/15/2008)
01/16/2008	<u>24</u>	Corporate Disclosure Statement by ERC. (Chung, Theresa) (Entered: 01/16/2008)
02/04/2008	<u>25</u>	RESPONSE in Opposition re <u>23</u> MOTION to Change Venue <i>And to Stay Proceedings Pending a Ruling on this Motion</i> , filed by Defendants COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Chung, Theresa) (Entered: 02/04/2008)
02/19/2008	<u>26</u>	REPLY in Support of Motion re <u>23</u> MOTION to Change Venue <i>And to Stay Proceedings Pending a Ruling on this Motion</i> , filed by Plaintiffs SUSAN BYRD, ADRIANA VASQUEZ, CORA NELSON-MANLEY, PAUL ABELMAN, VALERIE R. NUTTER, WARREN JEMMOTT. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2) (Gottesdiener, Eli) (Entered: 02/19/2008)
02/25/2008	<u>27</u>	MOTION for Leave to File <i>Sur-Reply</i> , filed by Defendants COLGATE-PALMOLIVE COMPANY, COLGATE-PALMOLIVE COMPANY EMPLOYEES' RETIREMENT INCOME PLAN, ERC. (Attachments: # <u>1</u> Exhibit A - Proposed Sur-Reply, # <u>2</u> Text of Proposed Order)(Chung, Theresa) (Entered: 02/25/2008)
02/29/2008	<u>28</u>	ORDER to Resolve Consolidation and Related Case Issues - The court ORDERS

plaintiffs in this Abelman action to file no later than 3/14/2008 in Caufield (4:07-cv-0016-SEB-WGH) a statement of their position on whether this action should be consolidated with Caufield (see Order for further details). Signed by Judge David Frank Hamilton on 2/29/2008.(LSC) (LSC). (Entered: 02/29/2008)

Case #: 1:07-cv-01554-DFH-JMS

PACER Service Center			
Transaction Receipt			
03/13/2008 14:56:58			
<b>PACER Login:</b>	ml0011	<b>Client Code:</b>	07093-088888-0000
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	1:07-cv-01554-DFH-JMS
<b>Billable Pages:</b>	5	<b>Cost:</b>	0.40

## **EXHIBIT C**

CLOSED

**U.S. District Court  
Southern District of Ohio (Columbus)  
CIVIL DOCKET FOR CASE #: 2:07-cv-00793-MHW-NMK**

Abelman et al v. Colgate-Palmolive Company et al  
Assigned to: Michael H. Watson  
Referred to: Norah McCann King  
Cause: 29:1001 E.R.I.S.A.: Employee Retirement

Date Filed: 08/13/2007  
Date Terminated: 11/28/2007  
Jury Demand: None  
Nature of Suit: 791 Labor: E.R.I.S.A.  
Jurisdiction: Federal Question

**Plaintiff**

**Paul Abelman**

*On behalf of himself and on behalf of all  
others similarly situated*

represented by **William Henry Blessing**  
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**Eli Gottesdiener**

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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Valerie R. Nutter**

*On behalf of herself and on behalf of all  
others similarly situated*

represented by **William Henry Blessing**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Eli Gottesdiener**

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*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Warren Jemmott**

represented by **William Henry Blessing**  
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*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Eli Gottesdiener**  
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**Plaintiff**

**Susan Byrd**

represented by **William Henry Blessing**  
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*ATTORNEY TO BE NOTICED*

**Eli Gottesdiener**  
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**Plaintiff**

**Adriana Vasquez**

represented by **William Henry Blessing**  
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*LEAD ATTORNEY*  
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**Eli Gottesdiener**  
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**Plaintiff**

**Cora Nelson-Manley**

represented by **William Henry Blessing**  
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**Eli Gottesdiener**  
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V.

**Defendant**

**Colgate-Palmolive Company**

represented by **Felix Christopher Wade**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Colgate-Palmolive Company Employees'  
Retirement Income Plan**

represented by **Felix Christopher Wade**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Eve Melinda Ellinger**  
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*ATTORNEY TO BE NOTICED*

**Jeremy P Blumenfeld**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Joseph J Costello**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Theresa J Chung**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**ERC**

represented by **Felix Christopher Wade**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
08/13/2007	<u>1</u>	COMPLAINT filed by Plaintiffs Paul Abelman and Valerie R. Nutter against Defendants Colgate-Palmolive Company and Colgate-Palmolive Company Employees' Retirement Income Plan.(Filing fee \$ 350.) (Attachments: # <u>1</u> Civil Cover Sheet # <u>2</u> Receipt) (scot1, ) (Entered: 08/13/2007)
08/13/2007		Filing fee: \$ 350, receipt number 435201 (scot1, ) (Entered: 08/13/2007)
08/13/2007	<u>2</u>	Summons Issued as to Colgate-Palmolive Company and Colgate-Palmolive Company Employees' Retirement Income Plan. (scot1, ) (Entered: 08/13/2007)
08/15/2007	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice. Filing fee \$ 200. by Plaintiffs Paul Abelman, Valerie R. Nutter. (Blessing, William) (Entered: 08/15/2007)
08/16/2007	<u>4</u>	ORDER granting # 3 Motion for attorney Eli Gottesdiener to appear pro hac vice on behalf of Plaintiffs conditional on counsel to register for ECF or seek leave from doing so within fourteen (14) days of the date of this order. Signed by Judge Norah McCann King on 8/16/07. (rew ) (Entered: 08/16/2007)
08/16/2007		Filing fee: \$ 200.00, receipt number 257596 for Phv motion for Attorney Eli Gottesdiener. (rew ) (Entered: 08/17/2007)
08/20/2007	<u>5</u>	SUMMONS Returned Executed: Colgate-Palmolive Company served on 8/14/2007, answer due 9/4/2007. (Gottesdiener, Eli) (Entered: 08/20/2007)
08/20/2007	<u>6</u>	SUMMONS Returned Executed: Colgate-Palmolive Company Employees' Retirement Income Plan served on 8/14/2007, answer due 9/4/2007. (Gottesdiener, Eli) (Entered: 08/20/2007)
08/29/2007	<u>7</u>	STIPULATION <i>for Extension of Time to Move or Plead</i> by Defendants Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan. (Wade, Felix) (Entered: 08/29/2007)
09/18/2007	<u>8</u>	Corporate Disclosure Statement by Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan. (Ellinger, Eve) (Entered: 09/18/2007)
09/18/2007	<u>9</u>	MOTION for Leave to Appear Pro Hac Vice. Filing fee \$ 200. by Defendants Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan. (Attachments: # <u>1</u> Good Standing Certificate of Theresa June-kyung Chung) (Ellinger, Eve) (Entered: 09/18/2007)
09/18/2007	<u>10</u>	MOTION for Leave to Appear Pro Hac Vice <i>of Joseph J. Costello</i> . Filing fee \$ 200. by

		Defendants Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan. (Attachments: # <u>1</u> Good Standing Certificate of Joseph J. Costello) (Ellinger, Eve) (Entered: 09/18/2007)
09/18/2007	<u>11</u>	MOTION to Change Venue to <i>Southern District of Indiana</i> by Defendants Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan. (Ellinger, Eve) (Entered: 09/18/2007)
09/18/2007	<u>12</u>	Memorandum in Support of MOTION to Change Venue to Southern District of Indiana by Defendants Colgate-Palmolive Company & Colgate-Palmolive Company Employees' Retirement Income Plan. (Attachments: # <u>1</u> Exhibit A - Caufield Complaint# <u>2</u> Affidavit Ex. B - Matthew Faranda Declaration) (Ellinger, Eve) Modified text and event on 9/24/2007 (er ). (Entered: 09/18/2007)
09/18/2007		Filing fee: for pro hac vice motion # 9 and #10 of \$ 400.00, receipt number 258014. (rew ) (Entered: 09/19/2007)
09/19/2007	<u>13</u>	ORDER granting # 9 Motion for attorney Theresa J Chung to appear pro hac vice; and granting # 10 Motion for attorney Joseph J. Costello to appear pro hac vice on behalf of defendants. Signed by Judge Norah McCann King on 9/19/07. (rew ) (Entered: 09/19/2007)
09/19/2007		Order # 13 mailed to attorneys Joseph J Costello and Theresa J. Chung. (rew ) (Entered: 09/20/2007)
09/24/2007	<u>14</u>	MOTION to Dismiss <i>Plaintiffs' Complaint</i> by Defendants Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan.Responses due by 10/18/2007 (Wade, Felix) (Entered: 09/24/2007)
09/24/2007	<u>15</u>	Memorandum of Law in Support of <u>14</u> Motion to Dismiss by Defendants Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan.Responses due by 10/18/2007 (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I# <u>10</u> Exhibit J# <u>11</u> Exhibit K# <u>12</u> Exhibit L# <u>13</u> Exhibit M# <u>14</u> Exhibit N# <u>15</u> Exhibit O) (Wade, Felix) Modified text on 11/28/2007 (er ). (Entered: 09/24/2007)
09/25/2007	<u>16</u>	NOTICE of Hearing: Pretrial Conference set for 11/28/2007 @ 02:30 PM in chambers before Norah McCann King. (jm1, ) (Entered: 09/25/2007)
10/09/2007	<u>17</u>	MOTION to Stay for 60 days pending a ruling on defendant Plan's motion to dismiss related action in district to which Defendants seek to transfer this action by Plaintiffs Paul Abelman, Valerie R. Nutter. (Gottesdiener, Eli) (Entered: 10/09/2007)
10/09/2007	<u>18</u>	Mail Returned as Undeliverable. (RETURN TO SENDER) Mail sent to Michael J. Rosen PA. Contents include doc <u>13</u> . (er ) (Entered: 10/10/2007)
10/11/2007	<u>19</u>	MOTION for Extension of Time to File Response/Reply New date requested 10/31/2007. by Plaintiffs Paul Abelman, Valerie R. Nutter. (Gottesdiener, Eli) (Entered: 10/11/2007)
10/12/2007	<u>20</u>	Supplemental Memorandum Supporting re <u>17</u> MOTION to Stay for 60 days pending a ruling on defendant Plan's motion to dismiss related action in district to which Defendants seek to transfer this action filed by Plaintiffs Paul Abelman, Valerie R. Nutter. (Attachments: # <u>1</u> Exhibit 1) (Gottesdiener, Eli) (Entered: 10/12/2007)

10/19/2007	<u>21</u>	RESPONSE in Opposition re <u>17</u> MOTION to Stay <i>for 60 days pending a ruling on defendant Plan's motion to dismiss related action in district to which Defendants seek to transfer this action</i> , <u>19</u> MOTION for Extension of Time to File Response/Reply New date requested 10/31/2007. filed by Defendants Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan. (Attachments: # <u>1</u> Exhibit A - Email 10/11/07# <u>2</u> Exhibit B - Email 10/12/07) (Wade, Felix) (Entered: 10/19/2007)
10/23/2007	<u>22</u>	ORDER : If plaintiffs intend to file a reply in support of their motion to stay # 17, and 20 they shall do so by 10/26/07. Signed by Judge Norah McCann King on 10/23/07. (rew ) (Entered: 10/24/2007)
10/26/2007	<u>23</u>	REPLY to Response to Motion re <u>17</u> MOTION to Stay <i>for 60 days pending a ruling on defendant Plan's motion to dismiss related action in district to which Defendants seek to transfer this action</i> , <u>19</u> MOTION for Extension of Time to File Response/Reply New date requested 10/31/2007. filed by Plaintiffs Paul Abelman, Valerie R. Nutter. (Gottesdiener, Eli) (Entered: 10/26/2007)
10/29/2007	<u>24</u>	ORDER denying <u>17</u> Plaintiffs' Motion to Stay Briefing. Plaintiffs' memo contra the motions to change venue and to dismiss are due 11/2/2007. Signed by Judge Norah McCann King on 10/29/07. (er ) (Entered: 10/29/2007)
10/29/2007	<u>25</u>	NOTICE of Appearance by Jeremy P Blumenfeld Defendants Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan (Blumenfeld, Jeremy) (Entered: 10/29/2007)
11/02/2007	<u>26</u>	RESPONSE in Opposition re <u>11</u> MOTION to Change Venue <i>to Southern District of Indiana</i> filed by Plaintiffs Paul Abelman, Valerie R. Nutter. (Attachments: # Exhibit 1) (Gottesdiener, Eli) Modified on 11/5/2007- dkt removed by Clerk, see remark filed 11/5/2007 (er ). (Entered: 11/02/2007)
11/02/2007	<u>27</u>	AMENDED COMPLAINT against all defendants, filed by all plaintiffs. (Gottesdiener, Eli) (Entered: 11/02/2007)
11/02/2007	<u>28</u>	RESPONSE in Opposition re <u>11</u> MOTION to Change Venue <i>to Southern District of Indiana</i> filed by Plaintiffs Paul Abelman, Valerie R. Nutter. (Attachments: # <u>1</u> Exhibit 1) (Gottesdiener, Eli) (Entered: 11/05/2007)
11/05/2007		Remark: Both documents filed under doc 26 consisted of just the exhibit without the main document. Because of this, Doc 26 was refiled under doc 28 by attorney Eli Gottesdiener, thus doc 26 was removed by the Clerk. (er ) (Entered: 11/05/2007)
11/08/2007	<u>29</u>	REPLY to <u>12</u> Memorandum in Support of <u>11</u> Motion to Change Venue filed by Defendants Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan. (Wade, Felix) Modified text on 11/13/2007 (er ). (Entered: 11/08/2007)
11/13/2007	<u>30</u>	Summons Issued as to ERC. (sr) (Entered: 11/13/2007)
11/16/2007	<u>31</u>	Unopposed MOTION for Extension of Time New date requested 00/00/08. <i>to Move, Plead, or Otherwise Respond to Plaintiffs' Amended Complaint</i> by Defendants ERC, Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan. (Wade, Felix) (Entered: 11/16/2007)
11/19/2007	<u>32</u>	ORDER granting # <u>31</u> Motion for Extension of Time. Defendants will respond to the

		complaint no later than ten (10) days after a ruling is made on the pending motion to transfer. Signed by Judge Norah McCann King on 11/19/07. (rew ) (Entered: 11/19/2007)
11/27/2007	<u>33</u>	RULE 26(f) REPORT <i>of Parties</i> by Plaintiffs Warren Jemmott, Susan Byrd, Adriana Vasquez, Cora Nelson-Manley, Paul Abelman, Valerie R. Nutter, Defendants ERC, Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan. (Wade, Felix) (Entered: 11/27/2007)
11/27/2007	<u>34</u>	NOTICE by Defendants ERC, Colgate-Palmolive Company, Colgate-Palmolive Company Employees' Retirement Income Plan <i>of Ruling on Motion to Stay in the Caufield v. Colgate Case Pending Disposition of Defendants' Motion to Transfer this Case to the Southern District of Indiana</i> (Attachments: # <u>1</u> Exhibit Order Granting Defendant's Motion for Stay of Proceedings Pending Disposition of its Motion to Dismiss) (Wade, Felix) (Entered: 11/27/2007)
11/28/2007	<u>35</u>	ORDER granting # <u>11</u> Motion to Change Venue. This matter is ordered transferred to the United States District Court for the Southern District of Indiana. Signed by Judge Norah McCann King on 11/28/07. (rew ) (Entered: 11/28/2007)
11/28/2007		A transfer letter and a copy of the Order, and docket sheet mailed to the United States District Court of Indiana by certified mail # 7002 0510 0004 1261 6485. (rew ) (Entered: 11/28/2007)
12/03/2007	<u>36</u>	ACKNOWLEDGEMENT OF SERVICE Executed :Transferr letter mailed to the United States District Court Southern District of Indiana by certified mail # 7002 0510 0004 1261 6485. (rew ) (Entered: 12/04/2007)

PACER Service Center			
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03/13/2008 14:58:36			
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<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:07-cv-00793-MHW-NMK
<b>Billable Pages:</b>	5	<b>Cost:</b>	0.40

## **EXHIBIT D**

# COLGATE PALMOLIVE CO

## FORM 10-K (Annual Report)

Filed 02/28/08 for the Period Ending 12/31/07

Address	300 PARK AVE NEW YORK, NY 10022
Telephone	2123102000
CIK	0000021665
Symbol	CL
SIC Code	2844 - Perfumes, Cosmetics, and Other Toilet Preparations
Industry	Personal & Household Prods.
Sector	Technology
Fiscal Year	12/31

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We have obtained all required regulatory approvals to manufacture and sell our products. New or more restrictive regulations or more restrictive interpretations of existing regulations, however, could have an adverse impact on our business. For example, from time to time, various regulatory authorities and consumer groups in Europe, the U.S. and other countries conduct reviews of the use of triclosan in certain consumer products. In 2005, the FDA established an advisory panel to examine the use of certain anti-microbials, including triclosan, in anti-microbial hand soaps, wipes and hand sanitizers. A finding by the FDA or an overseas regulatory authority that triclosan should not be used in certain consumer products could have an adverse impact on our business, as could negative reactions to triclosan from consumers, our trade customers or non-governmental organizations. Currently, Colgate uses triclosan in certain of its oral, personal and home care products, including Colgate Total toothpaste, Softsoap brand liquid hand soap and Protex bar soap.

### *Our business is subject to the risks inherent in global manufacturing and sourcing activities.*

As a company engaged in manufacturing and sourcing of products and materials on a global scale, we are subject to the risks inherent in such activities, including, but not limited to:

- availability of key raw materials,
- industrial accidents or other occupational health and safety issues,
- environmental events,
- strikes and other labor disputes,
- disruptions in logistics,
- loss or impairment of key manufacturing sites,
- raw material and product quality or safety issues,
- counterfeit products,
- licensing requirements and other regulatory issues, and
- natural disasters, acts of war or terrorism and other external factors over which we have no control.

While we have business continuity and contingency plans for key manufacturing sites and supply of raw materials, significant disruption of manufacturing for any of the above reasons could interrupt product supply and, if not remedied, have an adverse impact on our business. In addition, if our products, or raw materials contained in our products, are found or perceived to be defective or unsafe, we may need to recall some of our products; our reputation and brand image could be diminished; and we could lose market share or become subject to liability claims, any of which could have a material adverse effect on our business.

*The risks described above are not the only ones we face. Additional risks not presently known to us or that we currently deem immaterial may also have an adverse effect on us. If any of the above risks actually occurs, our business, results of operations, cash flows or financial condition could suffer, which might cause the value of our securities to decline.*

## ITEM 1B. UNRESOLVED STAFF COMMENTS

None.

## ITEM 2. PROPERTIES

The Company owns or leases approximately 340 properties which include manufacturing, distribution, research and office facilities worldwide. Our corporate headquarters is located in leased property at 300 Park Avenue, New York, New York.

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In the U.S., the Company operates approximately 60 properties of which 15 are owned. Major U.S. manufacturing and warehousing facilities used by the Oral, Personal and Home Care segment of our business are located in Morristown, New Jersey; Morristown, Tennessee; and Cambridge, Ohio. The Pet Nutrition segment has major facilities in Bowling Green, Kentucky; Topeka, Kansas; Commerce, California; and Richmond, Indiana. The primary research center for Oral, Personal and Home Care products is located in Piscataway, New Jersey and the primary research center for Pet Nutrition products is located in Topeka, Kansas.

Overseas, the Company operates approximately 280 properties of which 76 are owned in over 70 countries. Major overseas facilities used by the Oral, Personal and Home Care segment are located in Australia, Brazil, China, Colombia, France, Italy, Mexico, Poland, South Africa, Thailand, Venezuela and elsewhere throughout the world.

All of the facilities we operate are well maintained and adequate for the purpose for which they are intended.

We have closed or are in the process of phasing out production at certain of our facilities under the 2004 Restructuring Program and have built new state-of-the-art plants to produce toothpaste in the U.S. and Poland. For additional information on how the 2004 Restructuring Program will impact our properties, refer to "Restructuring and Related Implementation Charges" in Part II, Item 7, of this report.

### ITEM 3. LEGAL PROCEEDINGS

In 1995, the Company acquired the Kolynos oral care business from Wyeth (formerly American Home Products) (the Seller), as described in the Company's Form 8-K dated January 10, 1995. On September 8, 1998, the Company's Brazilian subsidiary received notice of an administrative proceeding from the Central Bank of Brazil primarily taking issue with certain foreign exchange filings made with the Central Bank in connection with the financing of this strategic transaction, but in no way challenging or seeking to unwind the acquisition. The Central Bank of Brazil in January 2001 notified the Company of its decision in this administrative proceeding to impose a fine which, at the current exchange rate, approximates \$147 million. The Company appealed the imposition of the fine to the Brazilian Monetary System Appeals Council (the Council), and on January 30, 2007, the Council decided the appeal in the Company's favor, dismissing the fine entirely.

In addition, the Brazilian internal revenue authority has disallowed interest deductions and foreign exchange losses taken by the Company's Brazilian subsidiary for certain years in connection with the financing of the Kolynos acquisition. The tax assessments with interest, at the current exchange rate, approximate \$123 million. The Company has been disputing the disallowances by appealing the assessments within the internal revenue authority's appellate process, with the following results to date:

- In June 2005, the First Board of Taxpayers ruled in the Company's favor and allowed all of the previously claimed deductions for 1996 through 1998, which represent more than half of the total exposure. The tax authorities have appealed this decision to the next administrative level.
- In March 2007, the First Board of Taxpayers ruled in the Company's favor and allowed all of the previously claimed deductions for 1999 through 2001, which represent the remaining exposure. The tax authorities could appeal this decision to the next administrative level.

In the event of an adverse decision within the internal revenue authority's appellate process, further appeals are available within the Brazilian federal courts. Although there can be no assurances, management believes, based on the opinion of its Brazilian legal counsel and other experts, that the disallowances are without merit and that the Company should prevail on appeal either at the administrative level or, if necessary, in the Brazilian federal courts. The Company intends to challenge these assessments vigorously.

In addition, Brazilian prosecutors reviewed the foregoing transactions as part of an overall examination of all international transfers of Reais through non-resident current accounts during the 1992 to 1998 time frame, a